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DATE: July 22, 2004

FROM: Matthew Pavao, Ph.D.  
Direct Dial 617 348 4707  
mpavao@mintz.com

TO:

NAME	COMPANY	BUSINESS #	FAX #
Examiner Cybille Delacroix-Muirheid Art Unit 1614	USPTO	571-272-0572	703-872-9306

## MESSAGE:

Dear Examiner Delacroix-Muirheid:

As discussed in our telephone call, please find attached a copy of the Response to December 1, 2003 Election of Species Requirement and related papers which were timely filed by Express Mail on December 22, 2003.

Finally, find attached the Express Mail Labels date stamped by the U.S. Post Office and the Return Postcards date stamped by the USPTO for the above-identified submissions. Please do not hesitate to contact me with any questions.

Regards,

Matthew Pavao  
Reg. No. 50,572Attorney Docket No. 26448-507  
Serial No.: 10/036,856  
Filed: December 31, 2001

We are sending a total of 5 pages, including this cover sheet.

Please call us at 617.348.4707 if you experience any problems.

## STATEMENT OF CONFIDENTIALITY

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**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on July 22, 2004

  
\_\_\_\_\_  
Signature

Matthew Pavao  
\_\_\_\_\_  
Name of person signing the Certificate

The papers submitted with this facsimile include:

1. Copy of the Originally filed Response to Election of Species Requirement
2. Copy of Return Postcards date stamped by the U.S.P.T.O.
3. Copy of Express Mail Labels date stamped by the U.S. Post Office

TRA 1941948v1

Express Mail Label No.: EV 312713228 US  
Date of Deposit: December 22, 2003

Attorney Docket No. 26448-507

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Wagle *et al.*

SERIAL NUMBER: 10/036,856

EXAMINER: Cybille Delacroix-Muirheid

FILING DATE: December 31, 2001

ART UNIT: 1614

FOR: METHOD FOR TREATING GLAUCOMA II B

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

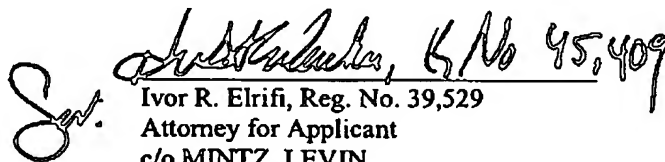
## TRANSMITTAL LETTER

The following papers are enclosed herewith for filing in the above-identified application:

1. Response to Election of Species Requirement (1 page);
2. Return Postcard.

Although the Applicants believe that no fees are due, the Commissioner is hereby authorized to charge any fees that may be due to Deposit Account No. 50-0311 (Ref. No. 26448-507). If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,

  
Ivor R. Elrifi, Reg. No. 39,529  
Attorney for Applicant  
c/o MINTZ, LEVIN  
Customer no.: 30623  
Tel: (617) 542-6000  
Fax: (617) 542-2241

Dated: December 22, 2003

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FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com			

Serial No. 10/036,856 File No. 26448-507 By: IRE/HAE A  
 Title: Method for Treating Glaucoma II.B.  
 Application of Hagle et al. Date: 12/31/01  
 The U.S. PTO Mail Room acknowledges receipt of the following on the date stamped hereon:

<input type="checkbox"/> Req. for CPA under 37 CFR 1.53(d)	<input type="checkbox"/> Provisional Application Cover Sheet
<input type="checkbox"/> Change of Attorney's Address	<input type="checkbox"/> Inf. Disc. Statement, PTO Form 1449
<input type="checkbox"/> New Power of Attorney	<input type="checkbox"/> References Cited
<input type="checkbox"/> Patent Application	<input type="checkbox"/> Copy of Notice to File Missing Parts
<input type="checkbox"/> Non-provisional <input type="checkbox"/> Provisional	<input type="checkbox"/> Amendment/Response
Incl. _____ pages, ( _____ pgs) Specification,	<input type="checkbox"/> Petition for Ext. of Time (x2)
( _____ pgs) Abstract, ( _____ pgs) Claims ( _____ # claims)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Design Patent Application	<input type="checkbox"/> Letter to Official Draftsperson
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<input type="checkbox"/> Drawings _____ sheet(s) (FIGS. _____)	<input type="checkbox"/> Brief (x3)
<input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Check for \$ _____ Check # _____
<input type="checkbox"/> Verified Statement claiming small entity status	<input type="checkbox"/> Transmittal Letter (x2) 1 pg
<input type="checkbox"/> Assignment and Cover Sheet	<input type="checkbox"/> Cert. of Mailing under 37 CFR 1.5(g)
	<input checked="" type="checkbox"/> Express Mail Label No. <u>EV312713228US</u>

☒ Other Response to Election of Species Requirement (1 pg)

DT04 Rec'd PCT/PTO 22 DEC 2003

DATE MAILED December 22, 2003